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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/542,243 04/03/00 WANG

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EXAMINER

NGUYEN, C

ART UNIT

PAPER NUMBER

3635

DATE MAILED:

04/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Office Action Summary**

Application No.

09/542,243

Applicant(s)

WANG, ARTHUR W.

Examiner

Chi Q Nguyen

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3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 April 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claims 1-16 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Restrictions, Two Groupings*

1. Restriction to one of the following inventions is required under 35 U.S. 121:
  - I. Claims 1-16, drawn to business method, classified in class 705, subclass 39.
  - II. Claims 17-28, drawn to apparatus of a satellite ready building, classified in class 52, subclass 220.7.
2. Inventions II and I are related as process of making and product made. The inventions are distinct if either of the following can be shown:
  - (1) that the process as claimed can be used to make other and materially different product or
  - (2) that the product as claimed can be made by another and materially different process.

For instance case, the apparatus claims (17-28) could be installed by a method different than that of group II (business method) such as providing pre-wire system at the beginning of the construction time in prior giving a total cost to owner.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation on March 29, 2001 a provisional election was made for the apparatus claims (17-28) only with traverse to prosecute the invention.

*Drawings*

5. The drawings are objected to because an element labeled as "80" with no detailed description. Correction is required.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver (U.S. Patent Number 6,166,329) in view of Macdonald (U.S. Patent Number 5,835,128).

With regards to the claims 17-22, Oliver discloses an electrical device assembly comprising a plurality of studs 40, satellite wires enclosed within 18, a terminating connector 10, a drywall layer 42 (see Figs. 3A-3D). Oliver does not disclose expressly an universal connector coupled to second termination of satellite, first termination positioned outside the building and an universal connector comprising a phone jack, a cable TV jack, a satellite TV jack, a LAN jack. Macdonald teaches a system for redistributing a television signal to a multiplicity of receiver units can be used with any type of satellite within a multiple dwelling unit comprising a signal receiver 13 positioned outside of the building (on the roof) including an antenna 14, transmitters 20, 22, 24, 26. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Oliver with Macdonald. The motivation for doing so would have been

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to provide the satellite signals from antenna connect to outlet jacks through out the building.

8. Claims 22, 24-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Macdonald (U.S. Patent Number 5,835,128) in view of Mast (U.S. Patent Number 6,166,705) and Zhang (U.S. Patent Number 6,201,509 B1).

With regards to the claims 22, 24-28, Macdonald discloses a redistribution of TV satellite signal including an antenna 14, transmitters 20, 22, 24, 26. Macdonald does not disclose expressly an antenna is flat, a phase array, a variable-inclination-continuous-transverse-stub, and a match with a roof color. Mast teaches a flat, a low phased array antenna 10 (Figs 1-2), Zhang further teaches a continuous transverse stub antenna (see Figs. 3-8). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Macdonald with Mast and Zhang. The motivation for doing so would have been to provide a wide range signal so that the antenna could be fully transmitted. However, Macdonald, Mast and Zhang do not explicitly teach an antenna has a color to substantially match a roof color and a remote control. It would have an obvious matter of design of choice to have a different color of antenna.

9. Claims 23, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Macdonald (U.S. Patent Number 5,835,128) in view of Spano (U.S. Patent Number 6,204,823 B1).

With regards to the claim 23, 26 Macdonald had disclosed the structural elements of the TV antenna as previous described in paragraph 8 except Macdonald does not disclose expressly antenna is low profile. Spano teaches a


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low profile antenna positioning including a controller with an azimuth drive mechanisms (see Fig. 2). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Macdonald and Spano. The motivation for doing so would have been to provide a different location for mounting the antenna where as a high wind region could be applied.

*Conclusion*

10. Any inquiry concerning this communication should be directed to Chi Q. Nguyen whose telephone number is (703) 605-1224, Monday-Thursday (7:00-5:00), Fridays off or the examiner's supervisor Carl D. Friedman (703) 308-0839.

CQN 4/2/2001



Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600